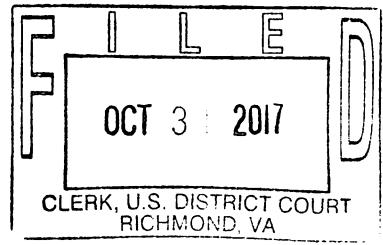


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**



UNITED STATES OF AMERICA)
v.)
HENRY PAUL RICHARDSON,)
Petitioner.)
Criminal No. 3:06CR106-HEH
Civil Action No: _____

MEMORANDUM OPINION
(Dismissing Successive 28 U.S.C. § 2255 Motion)

By Memorandum Opinion and Order entered on July 26, 2012, the Court denied a 28 U.S.C. § 2255 Motion filed by Petitioner (ECF Nos. 186, 187). Since that date, Petitioner has filed a variety of motions attempting to challenge his conviction. On June 16, 2017, the Court received yet another motion pursuant to 28 U.S.C. § 2255 (“Successive § 2255 Motion,” ECF No. 221–4), and a Motion for Discovery (ECF No. 221–1) related to that Successive § 2255 Motion. Petitioner also filed a Motion for an Evidentiary Hearing (ECF No. 222) for his Successive § 2255 Motion.

The Antiterrorism and Effective Death Penalty Act of 1996 restricted the jurisdiction of the district courts to hear second or successive applications for federal habeas corpus relief by prisoners attacking the validity of their convictions and sentences by establishing a “gatekeeping mechanism.” *Felker v. Turpin*, 518 U.S. 651, 657 (1996) (internal quotation marks omitted). Specifically, “[b]efore a second or successive application permitted by this section is filed in the district court, the applicant shall move in the appropriate court of appeals for an order authorizing the district court to consider

the application.” 28 U.S.C. § 2244(b)(3)(A). The Court has not received permission from the United States Court of Appeals for the Fourth Circuit to entertain Petitioner’s Successive § 2255 Motion. The Clerk will be directed to assign a civil action number to the Successive § 2255 Motion (ECF No. 221–4). The Successive § 2255 Motion will be dismissed for want of jurisdiction. Petitioner’s Motion for Discovery (ECF No. 222–1) and Motion for an Evidentiary Hearing (ECF No. 222) pertaining to his Successive § 2255 Motion will be denied. A certificate of appealability will be denied.

An appropriate Final Order will accompany this Memorandum Opinion.

Date: Dec 31, 2017
Richmond, Virginia



/s/
HENRY E. HUDSON
UNITED STATES DISTRICT JUDGE